

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

: CRIMINAL NO.

v.

**4: CR 21-235**

ROHITKUMAR PATEL,  
VINAYKUMAR PATEL,  
TAPAN TRIVEDI and  
JEEL PATEL,  
Defendants.

INDICTMENT

THE GRAND JURY ALLEGES:

Introduction

At times material to the Indictment:

**A. U Nonimmigrant Status for Victims of Crimes.**

1. The Department of Homeland Security, United States Citizenship and Immigration Services (USCIS) is the federal agency responsible for receiving and reviewing applications for visas and certain types of immigrant and nonimmigrant status for foreign nationals who are not citizens of the United states.

2. The U nonimmigrant status ("U-Visa") is for foreign

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nationals who are victims of certain crimes, have suffered mental or physical abuse, and are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity.

3. Congress created the U nonimmigrant visa with the passage of the Victims of Trafficking and Violence Protection Act (including the Battered Immigrant Women's Protection Act) in October 2000.

4. The legislation was intended to strengthen the ability of law enforcement agencies to investigate and prosecute cases of domestic violence, sexual assault, trafficking of noncitizens and other crimes, while also protecting victims of crimes who have suffered substantial mental or physical abuse due to the crime and are willing to help law enforcement authorities in the investigation or prosecution of the criminal activity, and the legislation also helps law enforcement agencies to better serve victims of crimes.

5. Under the U-Visa provisions, an alien who is listed as the victim of a qualifying criminal activity may apply for U-Visa status using a United States Customs and Immigration Services ("USCIS") form I-918 petition. U-Visa status also applies to both the victim and

qualifying family members.

6. To petition or apply for U nonimmigrant status, the applicant must submit required forms, including:

- Form I-918, Petition for U Nonimmigrant Status
- Form I-918, Supplement B, U Nonimmigrant Status

Certification. The Form I-918, Supplement B, must be signed by an authorized official of the certifying law enforcement agency and the official must confirm that the applicant was helpful, and currently being helpful, or will likely be helpful in the investigation or prosecution of the case.

- A personal statement describing the criminal activity of which you were a victim.

**B. The Defendants.**

7. The defendant, Rohitkumar Patel, was born in India and resided in Newark, New Jersey.

8. Rohitkumar Patel has no immigration status in the United States and was deported/removed from the United States in 2001.

9. The defendant Vinaykumar Patel was born in India and

resided in Lock Haven, Pennsylvania.

10. Vinayumar Patel was on a temporary Business Visa (“B-Visa”) status.

11. Tapan Trivedi was born in India and resided in Naperville, Illinois.

12. Tapan Trivedi was submitted for visa revocation in 2020 and has no immigration status in the United States.

13. Jeel Patel was born in India and resided in Baltimore, Maryland.

14. Jeel Patel has no immigration status in the United States.

## **THE GRAND JURY CHARGES:**

### **COUNT 1 18 U.S.C. § 1349 Mail Fraud Conspiracy**

1. The Grand Jury incorporates herein by reference the Introduction of the Indictment.

2. From in or about June 2019 through in or about July 2021, in Clinton and Centre Counties, within the Middle District of

Pennsylvania, and elsewhere, the defendants,

**ROHITKUMAR PATEL,  
VINAYKUMAR PATEL,  
TAPAN TRIVEDI and  
JEEL PATEL,**

did knowingly and intentionally combine, conspire, confederate and agree together and with each other, and with other persons known and unknown to the Grand Jury, to commit the following offense against the United States:

(a) having devised and intending to devise a scheme and artifice to defraud USCIS, the Pennsylvania State Police, and a private attorney in Pennsylvania, and for obtaining U-Visas by means of false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme and artifice, and attempting to do so, depositing and causing to be deposited any matter and thing whatever to be sent and delivered by mail, in violation of Title 18, United States Code, Section 1341.

**Manner and Means – Mail Fraud Conspiracy**

3. It was part of the conspiracy and scheme and artifice

that the conspirators, located in Pennsylvania, New Jersey, Maryland, Illinois, and other states, employed the following manner and means:

a. The conspirators devised and executed a scheme to defraud federal immigration authorities, state and local law enforcement officers and agents, and private attorneys by staging robberies and posing as victims of staged robberies for the purpose of submitting false and fraudulent I-918 petitions for U-Visa status.

b. The conspirators staged a robbery at the Fuel On gas station and convenience store in Lock Haven, Pennsylvania and planned another staged armed robbery of a convenience store in Carol Stream, Illinois.

c. The conspirators recruited an individual known to the Grand Jury to participate in the staged robberies as armed robbers.

d. The conspirators provided the individual posing as the robber with pellet guns, cash payments, directions to stores and other commercial establishments, and instructions on how to carry out the staged robberies.

e. The conspirators arranged to be present in the stores and establishments when the staged robberies occurred.

f. After the staged robbery, the conspirators falsely and fraudulently reported to police and law enforcement authorities that they were victims of robberies.

g. After the staged robbery, the conspirators falsely and fraudulently reported to health care providers that they had suffered injury, pain, and anxiety as a result of the staged robberies.

h. After the conspirators made the false and fraudulent reports about the staged robbery to police and health care providers, the conspirators fraudulently induced an attorney in Pennsylvania to prepare I-918 petitions and supporting forms, personal statements, and documents for submission to USCIS, which included false information and reports provided to the police and health care providers.

i. Based on their false and fraudulent statements and reports about the staged robbery, the conspirators fraudulently induced PSP investigators to prepare forms, documents and certifications about the staged robbery for submission to USCIS in support of the false and

fraudulent I-918 petitions for U-Visas.

j. After the staged robbery was reported to the police, the conspirators arranged through an attorney in State College, Pennsylvania to complete false and fraudulent I-918 petitions and supporting forms, personal statements, and documents, and submit those items, via the United States Postal Service, to the USCIS service center in Vermont.

All in violation of Title 18, United States Code, Section 1349.

## **THE GRAND JURY FURTHER CHARGES**

### **COUNTS 2 - 4** **Mail Fraud** **18 U.S.C. § 1341**

1. The Grand Jury incorporates herein by reference the Introduction and Count 1 of the Indictment.
2. From in or about June 2019 through in or about July 2021, in Clinton and Centre Counties, within the Middle District of Pennsylvania, and elsewhere, the defendants,

**ROHITKUMAR PATEL,**  
**VINAYKUMAR PATEL,**



**TAPAN TRIVEDI and  
JEEL PATEL,**

having devised a scheme and artifice to defraud USCIS, the Pennsylvania State Police, and a Pennsylvania attorney, and for obtaining U-Visas by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice, knowingly caused to be deposited and delivered by the United States Postal Service (USPS) false and fraudulent, USCIS Form I-918 Petitions for U Nonimmigrant Status (U-Visas) and supporting forms, personal statements, and documents, and to carry out the scheme and artifice to defraud the victims and for obtaining U-Visas did employ the manner and means set forth in Count One of the indictment.

3. On or about the dates listed below, for the purpose of executing, and attempting to execute, the above-described scheme and artifice to defraud the USCIS, PSP, and a Pennsylvania attorney, and for obtaining U-Visas money by means of false and fraudulent pretenses, representations and promises, the conspirators caused the following Form I-918 Petitions for U Nonimmigrant Status and

supporting forms, personal statements, and documents to be deposited with the USPS, and to be sent and delivered by the USPS, from State College, Pennsylvania to the USCIS service center in St. Albans, Vermont, each separate depositing and delivering constituting a separate count of this Indictment:

| COUNT | DEFENDANTS                            | DATE       | ITEM MAILED  |
|-------|---------------------------------------|------------|--|
| 2     | Kohitkumar Patel and Vinaykumar Patel | 10/29/2019 | I-918 Petition and supporting forms, personal statement and documents for Vinaykumar Patel |
| 3     | Kohitkumar Patel and Tapan Trivedi    | 05/05/2020 | I-918 Petition and supporting forms, personal statement and documents for Tapan Trivedi    |
| 4     | Kohitkumar Patel and Jeel Patel       | 08/10/2020 | I-918 Petition and supporting forms, personal statement and documents for Jeel Patel       |

All in violation of Title 18, United States Code, Sections 1341 and 2.

**THE GRAND JURY FURTHER CHARGES:**

**COUNT 5**  
**Conspiracy to Commit Fraud and  
and Make False Statements**

**About Visas and Health Care Matters  
18 U.S.C. § 371**

1. The Grand Jury incorporates by reference herein the Introduction and Counts 2 through 4 of the Indictment.
2. From in or about June 2019 through in or about July 2021, in Clinton and Centre Counties, within the Middle District of Pennsylvania, and elsewhere, the defendants,

**ROHITKUMAR PATEL,  
VINAYKUMAR PATEL,  
TAPAN TRIVEDI and  
JEEL PATEL,**

did knowingly and willfully combine, conspire, confederate, and agree with each other, and with other persons, known and unknown, to commit offenses against the United States, specifically:

- a. to knowingly present to the United States Custom and Immigration Service (USCIS) false statements with respect to a material fact in Form I-918 Petitions for Nonimmigrant Status and supporting forms, personal statements and documents, required by the immigration laws or regulations prescribed, said statements having been made under penalty

of perjury, and knowingly subscribed as true, in violation of Title 18, United States Code, Sections 1546(a).

b. to knowingly and willfully make a materially false, fictitious, and fraudulent statement and representations, in connection with the delivery of health care services involving a health care benefit program as defined in 18 U.S.C. § 24(b), in violation of Title 18, United States Code, Section 1035(a)(2).

#### **The Manner and Means of the Conspiracy**

It was part of the conspiracy that the defendants employed the manner and means set forth in Count 1.

#### **Overt Acts of the Conspiracy**

In furtherance of the conspiracy, the defendants committed and caused the commission of overt acts, in the Middle District of Pennsylvania and elsewhere, including but not limited to the following:

1. On June 21, 2019, at approximately 10:40 p.m, the defendants staged an armed robbery at the Fuel On gas station and convenience store located in Lock Haven, Pennsylvania.

2. Prior to the robbery, the defendant Rohitkumar Patel recruited a person known to the Grand Jury to play the role of the armed robber.

3. The night before the robbery, Vinaykumar Patel met with the person known to the grand jury, provided the person with a pellet gun and a cash payment for acting as the robber, and instructed the person known to the Grand Jury to drive and park approximately 50 yards from the store and then walk to the Fuel On by foot.

4. Prior to the staged armed robbery, defendant Tapan Travedi Jeel Patel traveled to the Fuel On store.

5. As directed by Vinaykumar Patel, the person known to the Grand Jury entered the store, brandished the pellet gun, and demanded cash from defendants Vinaykumar Patel, Tapan Travedi, and Jeel Patel, who arranged to be in the store at the time of the staged robbery.

5. As previously directed by the defendants, the person known to the Grand Jury left the store with cash and cigarettes and then fled the area,

6. After the person known to the Grand Jury left the store,

Vinaykumar Patel, Tapan Travedi, and Jeel Patel contacted the Pennsylvania State Police (PSP) and falsely and fraudulently reported that they had been robbed at the Fuel On store.

7. Following the staged robbery, Tapan Travedi asked the police to be taken to the hospital for examination.

8. On June 24, 2019, Trivedi was seen by health care providers at Susquehanna Health Medical Group, and he presented Medicaid health insurance information and falsely and fraudulently reported to health care providers that he suffered from anxiety and left knee pain as a result of being robbed.

9. On June 24, 2019, Vinaykumar Patel was seen by health care providers at Susquehanna Health Medical Group, and he presented Medicaid health insurance information and falsely and fraudulently reported to health care providers that that he experienced anxiety and was traumatized as a result of being robbed.

10. On December 19, 2019, Jeel Patel visited health care providers at Psychological Services in Indianapolis, Illinois, and he falsely and fraudulently stated to the health care providers that he

experienced stress, anxiety, and depression resulting from the staged robbery at the Fuel On.

11. After the staged robbery, the defendants fraudulently induced an attorney in State College, Pennsylvania to file Form 918 Petitions for U Nonimmigrant Status or U-Visas based upon the staged robbery and the false and fraudulent reports they made to the PSP investigators and health care providers.

12. On or about the following dates, the defendants Vinaykumar Patel, Tapan Trivedi, and Jeel Patel each signed a Form 918 Petition which falsely stated under oath that they were victims of the staged robbery, and the defendants then caused the attorney to submit the petition, via the United States Postal Service, from State College, Pennsylvania to the USCIS service center in Vermont:

| DEFENDANT        | DATE       | ITEM PRESENTED  |
|------------------|------------|---|
| Vinaykumar Patel | 10/29/2019 | I-918 Petition and supporting forms, personal statements and documents for Vinaykumar Patel |
| Tapan Trivedi    | 05/05/2020 | I-918 Petition and supporting forms, personal statements, and documents for Tapan Trivedi   |
| Jeel Patel       | 08/18/2020 | I-918 Petition and supporting forms, personal statements, and documents                     |

|  |  |                |
|--|--|----------------|
|  |  | for Jeel Patel |
|--|--|----------------|

13. Following the arrest by the PSP of the person known to the Grand Jury who acted as the armed robber of the Fuel On, the defendants made arrangements to get the person out of trouble with the police.

14. In the early to middle part of July 2021, Rohitkumar Patel discussed with the person known to the Grand Jury that three purported victims of the staged robbery, referring to Vinaykumar Patel, Tapan Travedi, and Jeel Patel were “good guys,” and that they would come to any court appearances and deny that they recognized the person as the robber.

15. In mid-July, Rokitkumar Patel discussed with the person known to the Grand Jury another staged robbery planned at a store in Carol Stream, Illinois

16. The Grand Jury incorporates herein Counts 2 through 4 and Counts 6 through 10 as additional overt acts in furtherance of the conspiracy.

All in violation of Title 18, United States Code, Section 371.



**THE GRAND JURY FURTHER CHARGES:**

**COUNTS 6 - 8**  
**Fraud and Misuse**  
**of Visas**  
**18 U.S.C. § 1546(a)**

1. The Grand Jury incorporates by reference herein the Introduction and Counts 2 through 5 of the Indictment.
2. On or about the following dates, within the Middle District of Pennsylvania, and elsewhere, the defendants

**VINAYKUMAR PATEL,**  
**TAPAN TRIVEDI and**  
**JEEL PATEL,**

did knowingly present to the United States Custom and Immigration Service (USCIS) false statements with respect to a material fact in each of the Form I-918 Petitions for Nonimmigrant Status and supporting forms, personal statements and documents, described below, required by the immigration laws or regulations prescribed thereunder, to wit, that they were victims of an armed robbery on June 21, 2019 at the Fuel On gas station and convenience store in Lock Haven, Pennsylvania, when in truth and in fact the purported robbery was

staged and fabricated for the purpose of obtaining U-Visas, said statements having been made under penalty of perjury, and knowingly subscribed as true:

| COUNT | DEFENDANT        | DATE       | ITEM PRESENTED  |
|-------|------------------|------------|---|
| 6     | Vinaykumar Patel | 10/29/2019 | I-918 Petition and supporting forms, personal statements and documents for Vinaykumar Patel |
| 7     | Tapan Trivedi    | 05/05/2020 | I-918 Petition and supporting forms, personal statements, and documents for Tapan Trivedi   |
| 8     | Jeel Patel       | 08/10/2020 | I-918 Petition and supporting forms, personal statements, and documents for Jeel Patel      |

All in violation of Title 18, United States Code, Sections 1546(a) and 2.

**THE GRAND JURY FURTHER CHARGES:**

**COUNT 9**  
**False Statements Relating**  
**to Health Care Matters**  
**18 U.S.C. § 1035(a)(2)**

1. The Grand Jury incorporates by reference herein Counts 2 through 8 of the Indictment.

2. On or June 24, 2019, in Clinton County, within the Middle District of Pennsylvania, and elsewhere, the defendant,

**TAPAN TRIVEDI,**

knowingly and willfully made materially false, fictitious, and fraudulent statement and representations, to wit: that he suffered pain, injury, trauma, and anxiety as a result of the robbery at the Fuel on in Lock Haven, Pennsylvania, in connection with the delivery of health care services involving Susquehanna Health Medical Group and Medicaid, health care benefit programs as defined in 18 U.S.C. § 24(b).

All in violation of Title 18, United States Code, Section 1035.

**THE GRAND JURY FURTHER CHARGES:**

**COUNT 10  
False Statements Relating  
to Health Care Matters  
18 U.S.C. § 1035(a)(2)**

1. The Grand Jury incorporates by reference herein Counts 2 through 9 of this Indictment.

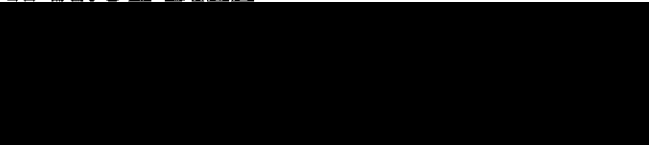
2. On or about June 24, 2019, in Clinton County, within the Middle District of Pennsylvania, and elsewhere, the defendant,

**VINAYKUMAR PATEL,**

knowingly and willfully made a materially false, fictitious, and fraudulent statement and representation, to wit: that he suffered pain, injury, trauma, and anxiety as a result of the robbery at the Fuel On in Lock Haven, Pennsylvania, in connection with the delivery of health care services involving Susquehanna Health Medical Group and Medicaid, health care benefit programs as defined in 18 U.S.C. § 24(b).

All in violation of Title 18, United States Code, Section 1035(a)(2).

A TRUE BILL



FOREPERSON

Date: 8/12/2021



BRUCE D. BRANDLER  
Acting United States Attorney

BY:



GEORGE J. ROCKTASHEL  
Assistant United States Attorney